

REMARKS**Status of Claims**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1-17 were pending in the application. Claims 1-17 have been amended, claim 18 has been newly added and no claims have been cancelled. Therefore, claims 1-18 are pending in the application and are submitted for reconsideration.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Prior Art Rejections

In the Office Action, claims 1-17 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent 6,460,422 to Kuroda et al. ("Kuroda"). Applicants respectfully traverse this rejection for at least the following reasons.

Each of the independent claims 1 and 18 recites, *inter alia*, that a signal processing means/processor for processing a plurality of pulse output signals which have been outputted from the plurality of detecting means and for calculating torsional vibration frequency of the rotator by averaging rotational periods through a number of pulse light beams which are irradiated to one of the reflecting means/reflectors and are reflected at the one of the reflecting means/reflectors during a time period when the one of the reflecting means/reflectors passes in front of one of the transmitting-receiving means/devices". This recited feature is disclosed in formulas (3) and (5) in the specification. The definition of "n" in the formulas is specified in page 11, line 25 to page 12, line 3 of the specification. That is, in the claimed torsional vibration measuring instrument, the pulse light irradiating means/source irradiates a "repetitive" pulse light beam during the time in which each reflector passes in front of the pulse light irradiating source/means.

The described feature is not disclosed or suggested in Kuroda. In order for a reference to be utilized as an anticipatory reference under the provisions of 35 U.S.C. § 102, the

reference must disclose each and every claimed element. This is certainly not the case here, and thus the Sec. 102 rejection as to the pending claim 1-17 must be withdrawn.

It should be noted that the claimed features provide the advantages that the rotational period and the torsional vibration can be more accurately obtained even in the presence of axial or other vibration of the rotation as discussed, for example, page 13, lines 2-3 and 18-23. Therefore, neither the specific recited features nor its advantages is disclosed or suggested by the applied prior art.

The dependent claims are also patentable for at least the same reasons as the independent claims on which they ultimately depend, as discussed above. In addition, they recite additional patentable features when considered as a whole.

Conclusion

Applicants believe that the pending claims are now in condition for allowance. An indication of the same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicants hereby petition for any needed extension of time.

Respectfully submitted,

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